

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12562 of 2019**

Arising Out of PS. Case No.-173 Year-2018 Thana- PATAHI District- East Champaran

1. Indu Bhushan Pandey, Age 56 years, Gender-Male, Son of Late Mahesh Pandey
2. Rajeev Pandey, Age 25 Years, Gender- Male
3. Rajesh Pandey, Age 20 years, Gender-Male
4. Ranjeet Pandey @ Ranjit Pandey, Age 30 yeas, Gender- Male  
Petitioner no.2 to 4 are Sons of Indu Bhushan Pandey  
All are Resident of Village - Bakhri, P.S.- Patahi, District - East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vikash Kumar Pankaj

For the Opposite Party/s : Mr. Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      01-03-2019                      Heard learned Counsels for the petitioners and  
learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 447, 307, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

The prosecution case as per the written report of Kameshwar Mahto submitted to SHO, Patahi Police Station is to the effect that on 13.09.2018 at 9.15 P.M., when the son of the informant, namely, Shashi Shekhar Kumar was sitting near his door and was talking on his mobile phone with someone, in the



meantime the petitioners came variously armed and on the order of Indu Bhusan Pandey (petitioner no.1) Rajeev Pandey (petitioner no.2) gave iron rod blow on the head of the informant's son, as a result, he fell down. It is further alleged that when the informant's family members went for his rescue, then Ranjeet Pandey, petitioner no.4 resorted to fire, which did not hit anyone and Rajesh Pandey (petitioner no.3) snatched a gold chain from the neck of the informant's son and thereafter, Indu Bhushan Pandey (petitioner no.1) took away Rs.14,000/- from his pocket.

It is submitted by learned counsel for the petitioners that for the occurrence of 13.09.2018 at 9.15 P.M., the FIR was registered on 14.09.2018 at 5.15 P.M., when the distance of police station of the Jurisdiction from the place of occurrence is only 4 kilometers. It is further submitted that the injury caused to the son of the informant, has been found simple in nature, which gets reflected from the impugned order. A statement has been made in paragraph no. 3 of the petition that the petitioner nos.1 to 3 are not having any criminal antecedent, whereas petitioner no.4 is involved in one other case in which, he is on bail.

It is submitted by learned APP for the State that the



petitioners are named in the FIR there is specific accusation against them.

Considering the delayed lodging of the case and injuries being found simple in nature, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **ACJM-VIII, Motihari** in connection with **Patahi P.S. Case No.173 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul-

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